

**MINUTES OF THE SPECIAL MEETING OF THE
COAST LABOR RELATIONS COMMITTEE**

Meeting No. 12-12

Time/Date: Wednesday, May 23, 2012 – 3:00 p.m.

Place: Via Teleconference

Present: For the Union

B. McEllrath
R. Familathe
R. Ortiz, Jr.
L. Sundet

For the Employers

R. Marzano

Also Present: K. Donovan

At the request of the Union, the Committee met to address a number of grievances filed at the local level in Portland. The issue in dispute involves the plugging, unplugging and monitoring of refrigerated containers on the dock at the ICTSI operated Terminal 6 facility in Portland, Oregon. The local Union (ILWU Local 8) has made a claim for the work under Section 1.7 of the PCLCD. The Committee understands that the local employers have advised the Union that ICTSI's lease with the Port of Portland requires it to allow the Port to perform the work in question utilizing employees represented by another union. The disagreement is scheduled for an area arbitration hearing on May 31, 2012.

The Committee reviewed the 2008-2014 PCLCD, specifically the new language in Section 1.7 and sub-sections and the "Red Circle" LOU, along with Kagel Award C-07-2011. After discussion and consideration of the matter, and in accordance with its authority under Section 17.26 and 17.27 of the PCLCD, the CLRC agreed the work in dispute, currently being performed by other than ILWU workers, is work that is covered by Section 1.7 at the Terminal 6 facility in Portland and shall be performed by ILWU represented workers. The Committee further agreed that, in this instance and under the facts of this case, the terms of the lease with the Port of Portland does not alter ICTSI's contractual obligation to the ILWU under the PCL&CA.

The Committee instructs ICTSI to assign the subject work to ILWU represented Longshore personnel in accordance with the PCLCD and this CLRC agreement. The Committee further instructs ICTSI to comply with Section 1.76, PCLCD.

The Committee agreed that this specific issue is considered resolved with finality, therefore no back pay claims are payable.

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For the Union:

Ray C. Alf.
L. S. E.

For the Employers:

R. L. May